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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/564,262	<b>Applicant(s)</b> DAVIDSON ET AL.	
	<b>Examiner</b> MOHAMMAD N. RAHMAN	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 5-14 and 24 - 44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-14 and 24 - 44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/11/2009</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on 11/11/2009 has been entered. **Claims 1, 3, 5-14 and 24- 44** are pending in this office action.

### **Claim Rejection – 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 3, 5-14 and 24 - 44** are rejected under 35 U.S.C. 102 (b) as being anticipated by Gudjonsson et al. (U.S. Patent No. 6,564,261) herein referred to as Gudjonsson.

**As per claim 1**, Gudjonsson teaches, a method for determining one or more relationships between a plurality of users of a network system (see at “abstract” and col. 2, lines 51-67), the method including the steps of:

- a) populating a database with a unique network user identifier for each of the plurality of users (see at “abstract” and “some communication network that can have access to the cluster. Users are registered within some specific cluster and given a unique user ID. This user ID along with the ID of the cluster (CID) constitutes a globally unique user ID (UID) within the whole system” at col. 2, lines 51-67).
- b) selecting a user and further populating the database with connection data for the selected user from a network access device associated with the selected user to

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provide unique network user identifiers of users known to the selected user (see at “abstract” and “Terminals/clients can be software entities running under some operating system or any other device running on some communication network that can have access to the cluster. Users are registered within some specific cluster and given a unique user ID” at col. 2, lines 51-67. Also see at col. 7, lines 35-67 and col. 8, lines 47-65 for selected user to provide unique network user identifiers)

c) repeating step b) for the remainder of the plurality of users (see at “abstract” and “Terminals/clients can be software entities running under some operating system or any other device running on some communication network that can have access to the cluster. Users are registered within some specific cluster and given a unique user ID” at col. 2, lines 51-67. Also see at col. 7, lines 35-67 and col. 8, lines 47-65 for selected plurality of users to provide unique network user identifiers).

d) for a predetermined user, searching each of the plurality of user's connection data in the database for the predetermined user's unique network user identifier to identify all users that have the predetermined user's unique network user identifier in their connection data (“Users are registered within some specific cluster and given a unique user ID. This user ID along with the ID of the cluster (CID) constitutes a globally unique user ID (UID) within the whole system” at col. 2, lines 51-67 and also see at col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already being predetermined),

e) storing the network user identifiers of the users located by the search of step d), to provide set of data for the predetermined user representative of one or more other

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user's relationship with the predetermined user (see at "abstract" and "locating the device address of other users to communicate with, and establishing a communication session with that device...users usually locate other users by finding them in their local address book, and then establish either a voice session..." at col. 1, lines 18-29 and "The user mapping function (UMF) 25 is a piecewise-defined function which specifies on which US the service instances for a given UID are located.." at col. 21, lines 50-64. Also see col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users identifiers are being already predetermined and stored in a database).

f) providing data from the data setoff step e) to a network access device associated with the predetermined user (see at "abstract" and "a first user (e.g., user #1) can establish a communications session (e.g., voice chat, text chat, etc.) with a second user (e.g., user #2) using one or more clusters of the network..." at col. 24, lines 32-66. Also see at col. 1, lines 18-29, col. 2, lines 51-67, col. 18, lines 18-59, col. 7, lines 35-67 and col. 33, lines 31-48, thus, a network access device associated with the predetermined user is being establishing a communications session).

**Note that claim 30 recites the same corresponding limitations as set forth in claim 1 above, thus the claim is rejected accordingly.**

2. (canceled)

**As per claim 3,** Gudjonsson teaches, a method as claimed in claim 1 where step d) includes searching each user's connection data in the database for any additional

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network user identifiers for the predetermined user (at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

4. (canceled)

**As per claim 5**, Gudjonsson teaches, a method as claimed in claim 3 where step f) includes comparing the data set of step e) with the connection data for the predetermined user, and providing to a network access device associated with the predetermined user the network user identifier of any users comprised in the data set of step e) which do not comprise part of the predetermined user's connection data (at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7 , since the users are already predetermined and according to the users identifier the connection data is being used).

**As per claim 6**, Gudjonsson teaches, a method as claimed in claim 5 including the step of providing the predetermined user with the opportunity to include the network user identifiers of any users comprised in the data set of step e) which do not comprise part of the predetermined user's connection data in the predetermined user's connection data (at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined and according to the users identifier the connection data is being used).

**As per claim 7**, Gudjonsson teaches, a method as claimed in claim 1 where step f) includes comparing the connection data of the predetermined user with the data set of

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step e), and providing to a network access device associated with the predetermined user the network user identifier of any users comprised in the connection data which do not comprise part of the data set of step e) ( at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined and according to the users identifier the connection data is being used).

**As per claim 8**, Gudjonsson teaches, a method as claimed in claim 7 including the step of using the network user identifiers of any users comprised in the connection data which are not present in the data set of step e) to contact users whose network user identifiers are in the predetermined user's connection data but not in the data set of step e) to invite those users to include the predetermined user's network user identifier in their connection data ( at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 21, since the users are already predetermined and according to the users identifier the connection data is being used for a user's request).

**As per claim 9**, Gudjonsson teaches, a method as claimed in claim 1 including the step of using the data set of step e) to provide an indication of the popularity of a user of the network system (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

**As per claim 10**, Gudjonsson teaches, method as claimed in claim 1 including the step of determining whether a network user identifier for a predetermined user has changed, and if a change is detected, performing steps d) and e) and using the user

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identifiers comprised in the data set of step e) to contact users who have the predetermined user's network user identifier and inform those users of the change in the predetermined user's network user identifier (at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, the users are already predetermined).

**As per claim 11**, Gudjonsson teaches, a method as claimed in claim 1 including the steps of further populating the database with a user preferred identifier by which a predetermined user prefers to be identified and associating the user preferred identifier with the predetermined user's unique network user identifier prior to performing step d), ( at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7 (since the users are already predetermined) at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65, since the users are already predetermined).

**As per claim 12**, Gudjonsson teaches, a method as claimed in claim 11 where step f) includes sending an invitation to a network access device associated with each of the users that have the predetermined user's unique network user identifier in their connection data to associate the predetermined user's user preferred identifier with the predetermined user's unique network user identifier in their connection data (at "abstract", col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used).



**As per claim 13**, Gudjonsson teaches, “a method as claimed in claim 1 including the step of further populating the database with one or more characteristics of each user prior to step d), searching the record in the database for each user in the data set of step e) for at least one of the characteristics, and providing the network user identifiers of those users having the at least one characteristics to a network access device associated with the predetermined user” at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7 (since the users are already predetermined and according to the users identifier the connection data is being used).

**As per claim 14**, Gudjonsson teaches, a method as claimed in claim 13 including the step of searching the record in the database of each user comprised in the connection data of each user comprised in the predetermined users connection data and searching the record in the database and connection data of each user comprised in the data set of step e) and each user comprised in the connection data of each user comprised in the data set of step e) for the at least one (at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used).

15. (canceled)

16. (canceled)

17. (canceled)

18. (canceled)

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19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

**As per claim 24**, Gudjonsson teaches, a method as claimed in claim 1 including the steps of:

further populating the database with additional user identifiers of each user, such user identifiers relating to the applicable network system or an other network system ( “abstract”, col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used in a network system);

enabling other users of the network system with one of a predetermined user's user identifiers to request other user identifiers from the system for the predetermined user system (at “abstract”, col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used in a network system); and

providing such other users with a predetermined user's additional user identifiers system ( “abstract”, col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since

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the users are already predetermined and according to the users identifier the connection data is being used in a network system).

**As per claim 25**, Gudjonsson teaches, a method as claimed in claim 1 including the step of allowing a predetermined user to mark some or all of their connection data as not accessible to other users of the system to the effect that it would appear to other users of the system that the marked data is not included in the predetermined user's connection data system ( "abstract", col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used in a network system).

**As per claim 26**, Gudjonsson teaches, a method as claimed in claim 1 including the steps of: providing a plurality of databases populated with connection data and connecting the plurality of databases to a centralized database (at "abstract", col. 2, lines 6-43 and col. 35, lines 13-18);

populating the centralised database with some or all of the connection data from the connected databases (at "abstract", col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7);

maintaining synchronization between the connection data in the centralised database and the connected databases (at "abstract", col. 2, lines 51-67, col. 7, lines 35-67, col. 8, lines 47-65, col. 9, lines 1- 7, and col. 17 and lines 48-66); and

providing a predetermined user's connection data to the predetermined user through one of the connected databases system ( "abstract", col. 2, lines 51-67, col. 7,

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lines 35-67 and col. 8, lines 47-65, since the users are already predetermined and according to the users identifier the connection data is being used in a network system).

**As per claim 27**, Gudjonsson teaches, a method as claimed in claim 1 including the steps of:

“providing a plurality of databases populated with connection data and connecting the plurality of databases directly with each other” see at figs. 1, 10 and 11 and col. 12, lines 42-54;

“transmitting processing requests from either a predetermined user of a connected database or a process operating on the connected database itself, to the other connected databases” at col. 14, lines 13-28 and col. 18, lines 34-58;

“processing requests received from other connected databases” at col. 14, lines 13-28 and col. 18, lines 34-58;

“transmitting the results of any processing requests to the originating connected database” at col. 14, lines 13-28 and col. 18, lines 34-58; and

“providing the aggregate results received from all connected databases to the predetermined user or process operating on the originating connected database” at “abstract” and col. 14, lines 13-28 and col. 18, lines 34-58.

**As per claim 28**, Gudjonsson teaches, “a method as claimed in claim 1 including the steps of:

“providing a plurality of databases populated with connection data and connecting the plurality of databases to a central inter-operator exchange transmitting processing requests from either a predetermined user of a connected database or a process operating on the connected database itself to the central inter-operator exchange transmitting such processing requests from the central inter-operator exchange to the connected databases” see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58;

“processing requests received from the central inter-operator exchange; transmitting the results of any processing requests received from the central inter-operator exchange to the central inter-operator exchange” see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58;

“transmitting results received from connected databases either individually or in aggregate from the central inter-operator exchange to the originating connected database; and providing the aggregate results received from the central inter-operator exchange to the predetermined user or process operating on the originating connected database” see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58.

**As per claim 29**, Gudjonsson teaches, a method as claimed in claim 1 including the steps of:

“providing a plurality of databases populated with connection data and connecting the plurality of databases to a central data and processing centre” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58);

“populating the central database and processing centre with the connection data from the connected databases” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58);

“maintaining synchronisation between the connection data in the central database and processing centre and the connected databases” (at col. 17 and lines 48-66);

“transmitting processing requests from a predetermined user of a connected database or a process operating on the connected database itself to the central database and processing centre” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58);

“processing requests received from the connected databases” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58);

“transmitting the results of any processing requests to the originating connected database” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58); and

“providing the results to the predetermined user or process operating on the originating connected database” (see at figs. 1, 10 and 11 and col. 12, lines 42-54, col. 14, lines 13-28 and col. 18, lines 34-58).

**As per claim 31**, Gudjonsson teaches, “apparatus for determining one or more relationships between a plurality of users of a network system, the apparatus including: a database populated with a unique network user identifier for each of the plurality of users and with connection data for each such user, the connection data being obtained from a network access device associated with each such user, a processor adapted to search each user's connection data in the database for a predetermined user's unique network user identifier to identify all users that have the predetermined user's unique network user identifier in their connection data, a memory device to store the user identifiers located by the search to provide a data set for the predetermined user representative of one or more other user's relationship with the predetermined user, and wherein the processor is further adapted to provide the data set to a network access device associated with the predetermined user” (see “ractively, this means that the back-end may have virtually unlimited scalability as applies to splitting load across multiple clusters, and within each cluster between machines, processors, processes, threads etc., and load balancing...” at col. 14, lines 13-20. Also about memory, Gudjonsson discloses, “Both of these data structures can be considered volatile and are kept in memory for efficiency reasons” at col. 26, lines 40-58. Also see at “abstract” col. 18, lines 18-59, col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 1-2 and col. 33, lines 31-48.

**As per claim 32**, Gudjonsson teaches, “a method as claimed in claim 9 including the step of providing the indication of popularity to an operator of a separate network system which is interconnected to the network system” (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

**As per claim 33**, Gudjonsson teaches, “a method as claimed in claim 1 including the step of determining whether a network user identifier for a predetermined user has changed, and if a change is detected, including the new network user identifier in the connection data on the database prior to performing step d)” (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined).

**As per claim 34**, Gudjonsson teaches, “a method as claimed in claim 1 including the step of determining whether a network user identifier for a predetermined user has changed, and if a change is detected, performing steps d) and e) and using the user identifiers comprised in the data set of step e) to send an instruction to a network access device associated with each of the users who have the predetermined user's network user identifier to update the predetermined user's network identifier in their connection data” (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67 and col. 8, lines 47-65, since the users are already predetermined).

**As per claim 35**, Gudjonsson teaches, “a method as claimed in claim 11 where step f) includes sending an instruction to a network access device associated with each



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of the users who have the predetermined user's unique network user identifier in their connection data to associate the predetermined user's network user identifier with the predetermined user's user preferred identifier in their connection data" (at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

**As per claim 36**, Gudjonsson teaches, a method as claimed in claim 13 including searching for a given user identifier or a user preferred identifier" (at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users identifiers are already predetermined).

**As per claim 37**, Gudjonsson teaches, "a method as claimed in claim 36 including searching for a given user identifier or a user preferred identifier" (at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

**As per claim 38**, Gudjonsson teaches, "a method as claimed in claim 14 including searching for a given user identifier or a user preferred identifier" (at "abstract", col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users preferred identifier are already predetermined).

**As per claim 39**, Gudjonsson teaches, "a method as claimed in claim 13 including the step of searching the record in the database of each user comprised in the connection data of the predetermined user for the at least one characteristics" (at

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“abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, as the users are already predetermined).

**As per claim 40**, Gudjonsson teaches, “a method as claimed in claim 1 including the step of synchronizing the connection data stored on the database with the connection data on users' network access devices” (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7 and col. 17, lines 48-65).

**As per claim 41**, Gudjonsson teaches, “a method as claimed in claim 1 including receiving new connection data from a user's network access device which includes changes from the connection data for that user present on the database, and including the new connection data in that user's connection data on the database prior to step d)” (at “abstract”, col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65 and col. 9, lines 1- 7, since the users are already predetermined).

**As per claim 42**, Gudjonsson teaches, “a method as claimed in claim 1 wherein the plurality of users comprise a subset of users of the network system” (at col. 2, lines 51-67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65, col. 9, lines 1- 7 and col. 23 and lines 33-45, thus, plurality of users comprise a subset of users of the network system).

**As per claim 43**, Gudjonsson teaches, “a method as claimed in claim 42 including the step of detecting any users added to the subset and providing the other users in the subset with the unique user identifier of the added user” (at col. 2, lines 51-

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67, col. 3, lines 1-45, col. 7, lines 35-67, col. 8, lines 47-65, col. 9, lines 1- 7 and col. 23 and lines 33-45, unique user identifier are being added added).

**As per claim 44**, Gudjonsson teaches, “a method as claimed in claim 42 including the step of detecting any users removed from the subset and notifying any other member of the subset that has the removed user's unique identifier in their connection data” (at Fig. 22 and col. 23 and lines 33-45 and col. 27, lines 36-44, thus user's unique identifier are being removed from the connection data).

### ***Response to Arguments***

#### **35 U.S.C. § 102 (b)**

#### **Claims 1, 3, 5-14 and 24 - 44**

4. Applicant's arguments filed 11/11/2009 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument.

**Regarding claims 1 and 30**, Applicant's argument stated on page 10, “Applicants submit that Gudjonsson does not teach or suggest at least elements (d), (e), or (f) of claims 1 and 30...” The examiner points out, Gudjonsson reference teaches about claim 1 (d), “Users are registered within some specific cluster and given a unique user ID. This user ID along with the ID of the cluster (CID) constitutes a globally unique user ID (UID) within the whole system” at col. 2, lines 51-67 and also see at col. 7, lines 35-67, col. 8, lines 47-65, since the users identifiers are already being predetermined and stored in a database.

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Gudjonsson reference teaches about claim 1 (e), at “abstract” and “locating the device address of other users to communicate with, and establishing a communication session with that device...users usually locate other users by finding them in their local address book, and then establish either a voice session...” at col. 1, lines 18-29 and “The user mapping function (UMF) 25 is a piecewise-defined function which specifies on which US the service instances for a given UID are located..” at col. 21, lines 50-64. Also see col. 2, lines 51-67, col. 7, lines 35-67 and col. 8, lines 47-65, since the users identifiers are being already predetermined and stored in a database, therefore users are locating other users and establishing a communication session with their respective devices.

Gudjonsson reference teaches about claim 1 (f), at “abstract” and “a first user (e.g., user #1) can establish a communications session (e.g., voice chat, text chat, etc.) with a second user (e.g., user #2) using one or more clusters of the network...” at col. 24, lines 32-66. Also see at col. 1, lines 18-29, col. 2, lines 51-67, col. 18, lines 18-59, col. 7, lines 35-67 and col. 33, lines 31-48, thus, a network access device associated with the predetermined user is being establishing a communications session.

**Regarding claims 31**, Applicant’s argument stated on page 11, “Applicants submit that Gudjonsson does not teach or suggest at least the processor, memory device, and the further feature of the processor.” However, **about processor**, Gudjonsson reference teaches “ractively, this means that the back-end may have virtually unlimited scalability as applies to splitting load across multiple clusters, and

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within each cluster between machines, processors, processes, threads etc., and load balancing...” at col. 14, lines 13-20. **Also, about memory**, Gudjonsson discloses, “Both of these data structures can be considered volatile and are kept in memory for efficiency reasons” at col. 26, lines 40-58.

In light of the foregoing arguments the 35 U.S.C. § 102 (b) rejections are hereby sustained.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad N. Rahman whose telephone number is 571-270-1631. The examiner can normally be reached on 7:30am - 5:00 pm, Mon - Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu M can be reached on 572-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad N Rahman/  
Examiner, Art Unit 2161  
Date: 01/24/2010

/Apu M Mofiz/  
Supervisory Patent Examiner, Art Unit 2161